

Court of Appeals, Division One
Special Action

1 CA-SA 14-0054

DARRAH v. HON MCCLENNEN/MESA

Appellate Case Information

Case Filed: 31-Mar-2014
Case Closed:

Dept/Composition

Department A

Hon. Kent E Cattani
Hon. Margaret H Downie
Hon. Michael J Brown

Side 1. TRAVIS LANCE DARRAH, Petitioner

(Litigant Group) DARRAH

- Travis Lance Darrah

Attorney for: Petitioner

Alexander Benikov, Esq. (AZ Bar No. 26951)

Side 2. THE HONORABLE CRANE MCCLENNEN, Judge of the SUPERIOR COURT OF THE STATE OF ARIZONA, in and for the County of MARICOPA,

Respondent Judge,

CITY OF MESA PROSECUTOR'S OFFICE,

Real Party in Interest., Respondent

(Litigant Group) HON MCCLENNEN

- Hon. Crane McClennen, Respondent Judge

(Litigant Group) MESA

- Mesa City Prosecutor's Office, Real Party in Interest

Attorney for: Real Party in Interest

W Craig Jones, Esq. (AZ Bar No. 11245)

CASE STATUS

Dec 1, 2015.....Under Advisement

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR LC2013-000517-001 DT			Crane McClennen, Authoring Judge of Order		
MESAM 2011103211			Comments: (none)		

DESCENDENT CASE(S)

ASC CV-14-0303-PR

CASE DECISION

21-Oct-2014 **OPINION**

Vacated
(Amended per Order filed 1/6/15)
(Vacated per ASC Order of 12/1/15)

Filed: 21-Oct-2014

Mandate:

Decision Disposition

Jurisdiction Accepted
Relief Denied

Michael Brown.....Author
Margaret Downie.....Concur
Kent Cattani.....Special Concurrence

25 PROCEEDING ENTRIES

- 31-Mar-2014 FILED: Petition for Special Action Relief; Certificate of Compliance; Certificate of Service and Contact Sheet (Petitioner)
- 31-Mar-2014 FILED: Index for Appendix; Exhibit 1; Exhibit 2; Exhibit 3 - 10/30/12 (Petitioner)
- 31-Mar-2014 FILED: Index for Appendix; Exhibit 3 - 11/21/12; Exhibit 4 (Petitioner)
- 31-Mar-2014 FILED: Order of Appointment of Counsel (Petitioner)

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5.	31-Mar-2014	FILED: Order Setting Dates/petition set for am of 4/22/14 by Dept A, Judges Cattani, Downie, Brown
6.	3-Apr-2014	FILED: Response to Petition for Special Action; Certificate of Compliance; Certificate of Service (Real Party in Interest)
7.	14-Apr-2014	FILED: Return Receipt for Notice of Oral Argument; Certificate of Service, dated 4/14/14, signed by John Tatz (Petitioner)
8.	14-Apr-2014	ORDERED: scheduling oral argument on 4/22/2014 at 11:00 am before Dept A in Courtroom 1. Each side is allocated 20 minutes within which to present oral argument. Hon Kent E Cattani Judge - Author
9.	14-Apr-2014	FILED: Return Receipt for Notice of Oral Argument; Certificate of Service, dated 4/14/14, signed by W. Craig Jones (Real Party in Interest)
10.	22-Apr-2014	FILED: Sign-in Sheet/Case is Under Advisement (Dept A)
11.	25-Apr-2014	ORDERED: it is ordered permitting concurrent supplemental briefing, not to exceed 10 pages, to be filed by 5/6/14. Hon Kent E Cattani Judge - Author
12.	5-May-2014	FILED: Petitioner's Supplemental Brief; Certificate of Compliance - Supplemental Brief; Certificate of Service - Supplemental Brief (Petitioner)
13.	6-May-2014	FILED: Supplemental Brief Response to Petition for Special Action; Certificate of Compliance Supplemental Brief; Certificate of Service Supplemental Brief (Real Party in Interest)
14.	21-Oct-2014	OPINION (Jurisdiction Accepted, Relief Denied) Hon Michael J Brown - Author; Hon Margaret H Downie - Concur; Hon Kent E Cattani Judge - Special Concurrence
15.	21-Oct-2014	FILED: Opinion Distribution List
16.	12-Nov-2014	FILED: ASC Order filed 11/12/14 re: granting extension to file Petition for Review on/before 12/22/14.
17.	22-Dec-2014	FILED: Email Notice from ASC re: Petition for Review filed 12/21/14; request for partial record
18.	22-Dec-2014	FILED: Letter forwarding partial record to Arizona Supreme Court
19.	6-Jan-2015	ORDERED: that the clerk of this Court is directed to amend the Opinion by interlineation, page 2 in the area of the panel designation to read: Judge Michael J. Brown delivered the Opinion of the court, in which Judge Margaret H. Downie joined and Presiding Judge Kent E. Cattani specially concurred. The balance of the Opinion shall remain the same. IT IS FURTHER ORDERED that copies of this order be distributed to all persons who received notice of the Opinion. Hon Michael J Brown - Author
20.	1-Dec-2015	FILED: Letter from ASC, 12/1/15, re: Petition for Review GRANTED on 12/1/15 and vacating the court of appeals' opinion and remanding to the court of appeals.
21.	13-Jan-2016	ORDERED: directing parties to file concurrent supplemental memoranda addressing effect of Dobson on this special action. Memoranda shall not exceed 10 pages of argument, and must be filed not later than 2/2/16. Hon Michael J Brown - Author
22.	2-Feb-2016	FILED: Supplemental Brief Re: the Effect of the Dobson Decision on this Special Action; Certificate of Compliance - Second Supplemental Brief; Certificate of Service - Second Supplemental Brief (Real Party in Interest)
23.	2-Feb-2016	FILED: Petitioner's Supplemental Memorandum; Certificate of Compliance; Certificate of Service (Petitioner)
24.	2-Feb-2016	FILED: Appendix to Petitioner's Supplemental Memorandum; (Appendix to Petitioner's Supplemental Memorandum) Exhibit A; (Appendix to Petitioner's Supplemental Memorandum) Exhibit B (Petitioner)
25.	7-Sep-2016	FILED: Notice of Substitution of Counsel; Certificate of Service (Petitioner)